

Serial No. 48358

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER  
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE  
STATE OF NEVADA HERETOFORE APPROPRIATED

Date of filing in State Engineer's Office SEP 06 1984

Returned to applicant for correction

Corrected application filed Map filed SEP 10 1984

The applicant Russell C. Koehler

RR2, Box 4930 of Rapid City  
Street and No. or P.O. Box No. City or Town

South Dakota 57701 1 hereby make S application for permission to change the  
State and Zip Code No.

Point of Diversion and Place of Use of a portion  
Point of diversion, manner of use, and/or place of use

of water heretofore appropriated under Application No. 31431  
(Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and

identify right in Decree.)

1. The source of water is Underground  
Name of stream, lake, underground spring or other source.
2. The amount of water to be changed 5.4 cfs  
Second feet, acre feet. One second foot equals 448.83 gallons per minute.
3. The water to be used for Irrigation and Domestic  
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
4. The water heretofore permitted for Irrigation and Domestic  
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
5. The water is to be diverted at the following point in the SE $\frac{1}{4}$  NW $\frac{1}{4}$  Section 26, T. 4 N.,  
Describe as being within a 40-acre subdivision of public survey and by course and  
R. 53 E., M.D.B. &M., or at a point from which the NE corner of  
distance to a section corner. If on unsurveyed land, it should be stated.  
Section 25, T. 4 N., R. 53 E., bears N. 71°43'30" E. 8355 feet.
6. The existing permitted point of diversion is located within the NW $\frac{1}{4}$  NE $\frac{1}{4}$  Section 24, T. 4 N.,  
If point of diversion is not changed, do not answer.  
R. 54 E., M.D.B. &M., or at a point from which the N $\frac{1}{4}$  corner of  
said Section 24 bears N. 45°00' W. 141.42 feet.
7. Proposed place of use S $\frac{1}{2}$  N $\frac{1}{2}$  and N $\frac{1}{2}$  S $\frac{1}{2}$  Section 26, T. 4 N., R. 53 E., M.D. &M.  
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.  
(320 acres)
8. Existing place of use Section 24, T. 4 N., R. 54 E., M.D.B. &M.  
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or  
(640 acres)  
manner of use of irrigation permit, describe acreage to be removed from irrigation.
9. Use will be from January 1 to December 31 of each year.  
Month and Day Month and Day
10. Use was permitted from January 1 to December 31 of each year.  
Month and Day Month and Day
11. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and  
specifications of your diversion or storage works.) well, pump, sprinkler system.  
State manner in which water is to be diverted, i.e. diversion structure, ditches,  
pipes and flumes, or drilled well, etc.
12. Estimated cost of works \$50,000.
13. Estimated time required to construct works 3 years

14. Estimated time required to complete the application of water to beneficial use..... 5 years

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

Russell C. Koehler

Ernest E. Muller, Sr., Agent

By s/ Ernest E. Muller

750 W. Pueblo St.

Reno, Nv., 89509

Compared.....bm/jm.....bl/bc

Protested 2/1/85 by Roger Hockersmith

DENIAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby <sup>deny</sup>~~grant~~ the same, subject to the following limitations and conditions:

This application is herewith denied on the grounds that to grant the application for irrigation purposes on lands that the applicant does not own or control and cannot demonstrate the ability to place the water to beneficial use, would not be in the public interest and welfare.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed.....cubic feet per second.....

Work must be prosecuted with reasonable diligence and be completed on or before.....

Proof of completion of work shall be filed before.....

Application of water to beneficial use shall be made on or before.....

Proof of the application of water to beneficial use shall be filed on or before.....

Map in support of proof of beneficial use shall be filed on or before.....

Completion of work filed..... IN TESTIMONY WHEREOF, I, PETER G. MORROS,  
State Engineer of Nevada, have hereunto set my hand and the seal of

Proof of beneficial use filed..... my office, this 27th day of February

Cultural map filed.....

Certificate No..... Issued.....

A.D. 19 87

*Peter G. Morros*  
State Engineer

